

UNAPPROVED

VIRGINIA BOARD OF DENTISTRY

**MINUTES
SPECIAL SESSION**

CALL TO ORDER: The meeting of the Board of Dentistry was called to order at 11:35 a.m., on May 9, 2014, at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, Board Room 4, 9960 Mayland Drive, Henrico, VA 23233.

**FIRST
PRESENTATION:** 11:35 a.m.

PRESIDING: Melanie C. Swain, R.D.H., Vice-President

MEMBERS PRESENT: Charles E. Gaskins, III, D.D.S.
Myra Howard
Evelyn M. Rolon, D.M.D.
James D. Watkins, D.D.S.
Bruce S. Wyman, D.M.D.

MEMBERS ABSENT: Surya P. Dhakar, D.D.S.
Jeffrey Levin, D.D.S.
A. Rizkalla, D.D.S.
Tammy K. Swecker, R.D.H.

QUORUM: With six members present, a quorum was established.

STAFF PRESENT: Sandra K. Reen, Executive Director
Gerald A. Milsky, Adjudication Specialist
Donna Lee, Discipline Case Manager

OTHERS PRESENT: James E. Rutkowski, Assistant Attorney General
Wayne T. Halbleib, Senior Assistant Attorney General

**Tracy E. Spraker,
R.D.H.
Case No.: 155393** The Board received information from Mr. Halbleib in order to determine if Ms. Spraker's impairment from substance abuse constitutes a substantial danger to public health and safety. Mr. Halbleib reviewed the case and responded to questions.

Closed Meeting: Dr. Gaskins moved that the Board convene a closed meeting pursuant to § 2.2-3711(A)(27) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Tracy E. Spraker. Additionally, Dr. Gaskins moved that Ms. Reen, Mr. Rutkowski, and Ms. Lee attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and passed.

Virginia Board of Dentistry
Board Special Session Meeting
May 9, 2014

Reconvene: Dr. Gaskins moved that the Board certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and passed.

DECISION: Dr. Watkins moved that the Board summarily suspend Ms. Spraker's license to practice dental hygiene in the Commonwealth of Virginia in that she is unable to practice dental hygiene safely due to impairment resulting from substance abuse, and schedule her for a formal hearing; also offer a consent order for the indefinite suspension of her license to practice dental hygiene for not less than two years in lieu of proceeding with a formal hearing. Following a second, a roll call vote was taken. The motion passed unanimously.

SECOND
PRESENTATION: 11:56 a.m.

PRESIDING: Melanie C. Swain, R.D.H., Vice-President

MEMBERS PRESENT: Charles E. Gaskins, III, D.D.S.
Myra Howard
Evelyn M. Rolon, D.M.D.
James D. Watkins, D.D.S.
Bruce S. Wyman, D.M.D.

MEMBERS ABSENT: Surya P. Dhakar, D.D.S.
Jeffrey Levin, D.D.S.
A. Rizkalla, D.D.S.
Tammy K. Swecker, R.D.H.

QUORUM: With six members present, a quorum was established.

STAFF PRESENT: Sandra K. Reen, Executive Director
Gerald A. Milsky, Adjudication Specialist
Donna Lee, Discipline Case Manager

OTHERS PRESENT: James E. Rutkowski, Assistant Attorney General
James E. Schliessmann, Assistant Attorney General

Kym Johnson-Virgil, D.D.S.
Case Nos.: 153370, 154963, 155254, and 155255
The Board received information from Mr. Schliessmann in order to determine if Dr. Johnson-Virgil's practice of dentistry and impairment from physical illness constitute a substantial danger to public health and safety. Mr. Schliessmann reviewed the case and responded to questions.

Virginia Board of Dentistry
Board Special Session Meeting
May 9, 2014

Closed Meeting: Dr. Gaskins moved that the Board convene a closed meeting pursuant to § 2.2-3711(A)(27) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Kym Johnson-Virgil. Additionally, Dr. Gaskins moved that Ms. Reen, Mr. Rutkowski, and Ms. Lee attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and passed.

Reconvene: Dr. Gaskins moved that the Board certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and passed.

DECISION: Dr. Gaskins moved that the Board summarily suspend Dr. Johnson-Virgil's right to renew her license to practice dentistry in the Commonwealth of Virginia in that her practice of dentistry and her impairment resulting from physical illness constitute a substantial danger to public health and safety, and schedule her for a formal hearing; also offer a consent order for the indefinite suspension of the right to renew her license to practice dentistry for not less than two years in lieu of proceeding with a formal hearing. Following a second, a roll call vote was taken. The motion passed unanimously.

**THIRD
PRESENTATION:**

12:12 p.m.

PRESIDING: Melanie C. Swain, R.D.H., Vice-President

MEMBERS PRESENT: Charles E. Gaskins, III, D.D.S.
Myra Howard
Evelyn M. Rolon, D.M.D.
James D. Watkins, D.D.S.
Bruce S. Wyman, D.M.D.

MEMBERS ABSENT: Surya P. Dhakar, D.D.S.
Jeffrey Levin, D.D.S.
A. Rizkalla, D.D.S.
Tammy K. Swecker, R.D.H.

QUORUM: With six members present, a quorum was established.

OTHERS PRESENT: James E. Rutkowski, Assistant Attorney General
James E. Schliessmann, Assistant Attorney General

**JoAnne Cagwin,
R.D.H.
Case No.: 154026**

The Board received information from Mr. Schliessmann in order to determine if Ms. Cagwin's impairment from alcohol abuse and mental illness constitute a substantial danger to public health and safety. Mr. Schliessmann reviewed the case and responded to questions.

Virginia Board of Dentistry
Board Special Session Meeting
May 9, 2014

Closed Meeting: Dr. Gaskins moved that the Board convene a closed meeting pursuant to § 2.2-3711(A)(27) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of JoAnne Cagwin. Additionally, Dr. Gaskins moved that Ms. Reen, Mr. Rutkowski, and Ms. Lee attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and passed.

Reconvene: Dr. Gaskins moved that the Board certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and passed.

DECISION: Dr. Wyman moved that the Board summarily suspend Ms. Cagwin's right to renew her license to practice dental hygiene in the Commonwealth of Virginia in that she is unable to practice dental hygiene safely due to impairment resulting from alcohol abuse and mental illness, and schedule her for a formal hearing; also offer a consent order for the indefinite suspension of the right to renew her license to practice dental hygiene for not less than two years in lieu of proceeding with a formal hearing. Following a second, a roll call vote was taken. The motion passed unanimously.

ADJOURNMENT: With all business concluded, the Board adjourned at 12:22 p.m.

Melanie C. Swain, R.D.H., Chair

Sandra K. Reen, Executive Director

Date

Date